

Message Text

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ACTION OFA-01

INFO OCT-01 ARA-06 ISO-00 OES-03 DODE-00 DLOS-04 L-03

CIAE-00 INR-07 NSAE-00 EB-07 PM-03 /035 W

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R 292321Z JUL 75

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 9150

INFO COMDT COGARD WASHDC

CDR COGARD PACIFIC AREA SAN FRANCISCO CAL

DIR SW REGION NATIONAL MARINE FISHERIES SVC SAN DIEGO

NATIONAL MARINE FISHERIES SERVICE WWASHDC

CDR COGARD DISTRICT SAN FRANCISCO

CDR COGARD DISTRICT ELEVEN LONG BEACH CAL

LIMITED OFFICIAL USE MEXICO 6707

E.O. 11652: N/A

TAGS: EFIS, PLOS, OCLR, PBOR, MX

SUBJECT: IATTC ENFORCEMENT, OVERFLIGHT/LANDING CLEARANCES
FOR USCG AIRCRAFT

REF: STATE 116080

1. BY DIPLOMATIC NOTE GOM HAS GIVEN CLEARANCE IN PRINCIPLE FOR SUBJECT FLIGHTS. ENGLISH TRANSLATION OF SUBSTANTIVE PORTION OF NOTE IS AS FOLLOWS: "THE SECRETARIAT OF FOREIGN RELATIONS IS PLEASED TO ANNOUNCE TO THE EMBASSY OF THE UNITED STATES OF AMERICA THAT THE APPROPRIATE OFFICIALS WILL HAVE NO OBJECTION IN GRANTING THE NECESSARY PERMITS, AS LONG AS THE DETAILS ARE PREVIOUSLY FURNISHED TO THIS SECRETARIAT IN ORDER THAT THE CORRESPONDING AUTHORIZATIONS BE EXPEDITED."

2. UNFORTUNATELY CLEARANCE IN PRACTICE WILL BE MORE DIFFICULT. FONOFF OFFICIALS (DIRECTOR IN CHIEF AMBASSADOR CASTRO Y CASTRO AND DEPUTY DIRECTOR OF DIPLOMATIC SERVICE VICTOR RODRIGUEZ) IN SPITE OF THE WORDING OF ITS NOTE
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(PARA ONE), HAVE INFORMALLY TOLD EMBOFFS THAT THEY NEED

NOT RPT NOT BE INFORMED OF EACH FLIGHT IN ADVANCE, AND THAT THE DETAILS OF CLEARANCE PROCEDURE WOULD HAVE TO BE WORKED OUT BY THE EMBASSY DIRECTLY WITH THE SECRETARIAT OF DEFENSE (DEFENSA). ALL THE FONOFF OFFICIALS REQUESTED WAS A COPY OF THE INDIVIDUAL REQUESTS, IF IN WRITING, "FOR THE FILES".

3. IN A SUBSEQUENT CONVERSATION WITH DEFENSA, DAO WAS INFORMED THAT THEY (DEFENSA) CONSIDERED SUBJECT FLIGHTS AS "NORMAL" AND THEREFORE SUBJECT TO REQUIREMENT OF 72 HOUR ADVANCE NOTIFICATION. HOWEVER THEY WOULD MAKE AN EXCEPTION AND WOULD "ENTERTAIN" A REQUEST FOR CLEARANCE WITHIN THE 72 HOUR PERIOD AND WOULD TRY TO EXPEDITE IT. HOWEVER THEY WOULD NOT GUARANTEE SUCCESS AND EXPRESSED THEIR DESIRE THAT USCG AIRCRAFT NOT PENETRATE MEXICAN AIRSPACE UNTIL CLEARANCE WAS GRANTED, NOT JUST APPLIED FOR.

4. THUS, REQUESTED FLIGHTS HAVE BEEN APPROVED, BUT SUBJECT FOR ALL PRACTICAL PURPOSES TO THE 72 HOUR ADVANCE REQUEST PROCEDURE. REASON FOR GOM REFUSAL TO ALLOW CLEARANCE REQUEST IN SHORTER TIME (AS IT DID RECENTLY WITH HURRICANE RECONNAISSANCE AIRCRAFT - MEXICO 5741) IS, ACCORDING TO BEST EMBASSY CONJECTION, DUE TO THEIR DESIRE TO PREVENT ANY OBSERVATION, EVEN INDIRECT, OF THEIR OWN FISHING VESSELS WITHIN THE CONVENTION EXCLUSION AREA.

5. EMBASSY CONSIDERING SENDING NOTE TO FONOFF ALONG FOLLOWING LINES: "EMBASSY IS PLEASED TO RECEIVE THE APPROVAL OF THE GOVERNMENT OF MEXICO IN ITS NOTE 507692 OF JULY 11, 1975, TO THE EMEBASSY'S REQUEST FOR CLEARANCE FOR PLANES OF THE UNITED STATES COAST GUARD TO ENTER MEXICAN AIRSPACE IN FULFILLMENT OF ITS OBLIGATION UNDER THE INTER-AMERICAN TROPICAL TUNA COMMISSION. HOWEVER, UNFORTUNATELY THE ADVANCE NOTIFICATION REQUIREMENTS WITH REGARD TO TIME IMPOSED BY THE DEPARTMENT OF DEFENSE OF THE GOVERNMENT OF MEXICO - AT LEAST 72 HOURS IN ADVANCE - WILL HAVE THE PRACTICAL EFFECT OF PRECLUDING THE UNITED STATES GOVERNMENT FROM ADEQUATELY MONITORING ITS TUNA LIMITED OFFICIAL USE

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FLEET, THEREBY SERIOUSLY WEAKENING THE EFFECTIVENESS OF THE PROGRAM.

THE EMBASSY ASSUMES THAT THIS WAS NOT THE INTENTION OF THE GOVERNMENT OF MEXICO AND ASKS THAT IT RECONSIDER THIS RESTRICTION, NOTING THE MORE AMPLE TIME PROVISIONS PROVIDED IN ITS AGREEMENT CONCERNING HURRICAN RECONNAISSANCE AIRCARFT (MEXICAN DIPLOMATIC NOTE NUMBER 506664 OF JUNE

11, 1975). THE EMBASSY CONTINUES TO APPRECIATE THE COOPERATION OF MEXICO IN FACILITATING THIS ENFORCEMENT ACTIVITY WHICH IS ESSENTIAL TO THE SUCCESS OF THE CONSERVATION PROGRAM OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION".

6. REQUEST DEPARTMENT'S VIEWS ON SENDING NOTE PROPOSED
PARA 5. JOVA

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